IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.665 of 2005

Between:

1 Kondisetty Srinivasa Rao, S/o. Veeranjaneyulu,
R/o. Kuchimpudi (V), Pedavegi (V), West Godavari District.
2 S. Sujatha, W/o. Kondala Rao,
R/o. Kuchimpudi (V), Pedavegi (V), West Godavari District.
3 K. Narasimha Rao, S/o. Ramu,
R/o. Kuchimpudi (V), Pedavegi (V), West Godavari District.
4 Ch. Meena Kumari, W/o. Ramaiah, @ Subba Rao,
R/o. Kuchimpudi (V), Pedavegi (V), West Godavari District.
5 K. Appayyamma, D/o. Appala Swamy,
R/o. Kuchimpudi (V), Pedavegi (V), West Godavari District.
6 S. Eswaramma, W/o. Narasimha Rao,
R/o. Kuchimpudi (V), Pedavegi (V), West Godavari District.
7 S.L. Bhagavathi, W/o. Papa Rao,
R/o. Kuchimpudi (V), Pedavegi (V), West Godavari District.
8 G. Hanumamba, W/o. Venkata Satyanarayana,
R/o. Kuchimpudi (V), Pedavegi (V), West Godavari District.
9 V. Krishna Veni, W/o. Simhachalam,
R/o. Kuchimpudi (V), Pedavegi (V), West Godavari District.
10 P. Srinivasa Rao, S/o. Thimmaiah,
R/o. Kuchimpudi (V), Pedavegi (V), West Godavari District.

..... PETITIONERS

AND

1 The District Collector, West Godavari District, Eluru.
2 The Joint Collector, West Godavari District, Eluru.
3 The R.D.O. Eluru, West Godavari District,
4 The Mandal Revenue Officer, Pedavegi, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or direction declaring the action of the Respondents in interfering with the petitioners possession and enjoyment of the lands in an extent of Ac. 4.89, 4.75, 1.72, 3.40, 0.73, 4.59, 4.36, 4.32, 4.83, 1.99 and 2.30 cents in S.No. 6/4, 5/2, 5/1, 8/5, 654/3, 6/5, 8/4, 654/2, 8/1, 8/3 and 4/4 of Ramasingavaram Village, Pedavegi Mandal, West Godavari District under the guise of assigning the said land to others as illegal, arbitrary, violative of Articles 14, 19 and 300-A of Constitution of India.

Counsel for the Petitioners: MR.K.CHIDAMBARAM

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

Heard the learned counsel for petitioners and learned Government Pleader for Revenue and with their consent the writ petition itself is disposed of at the stage of admission.

The main grievance of the petitioners in this writ petition is that the respondents, without canceling the pattas assigned to them in respect of the lands admeasuring Ac. 4.89, 4.75, 1.72, 3.40, 0.73, 4.59, 4.36, 4.32, 4.83, 1.99 and 2.30 cents situated in S.Nos. 6/4, 5/2, 5/1, 8/5, 654/3, 6/5, 8/4, 654/2, 8/1, 8/3 and 4/4 of Ramasingavaram Village, Pedavegi Mandal, West Godavari District and without following the due process of law, are trying to allot the same lands to others. Hence, they filed the present writ petition.

Any cancellation of the pattas granted to the petitioners, shall only be after following the due process of law, in that, they shall issue notice to the petitioners calling for their explanation, after considering the explanation that may be submitted by them, pass appropriate orders, and till such exercise is undertaken, status quo obtaining as on today shall be maintained by the parties as regards the possession of the petitioners. If the respondents have already followed the due process of law in the matter, they are at liberty to take consequential steps in accordance with the

decision they have taken.

Accordingly, the writ petition is disposed of at the stage of admission.

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N.V. RAMANA, J.

Date: 25.01.2005

Nsr/Mrr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, West Godavari District, Eluru.
2 The Joint Collector, West Godavari District, Eluru.
3 The R.D.O. Eluru, West Godavari District,
4 The Mandal Revenue Officer, Pedavegi, West Godavari District.

5 Two CCS to GP for Revenue, High Court of AP, Hyderabad (OUT)

6 2 CD copies

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